

Express Mail Label No.

Docket No.
T1-0028

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
An Isolated Cel II Endonuclease

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 17, 2003 as United States Application No. or PCT International
Application Number 10/688,665
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/419,568

October 18, 2002

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

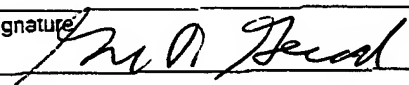
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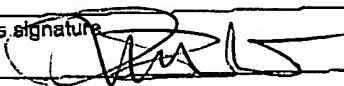
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12325 Emmet Street
Omaha, Nebraska 68164**

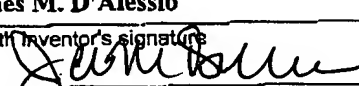
Direct Telephone Calls to: *(name and telephone number)*

Jane Massey Licata - (856) 810-1515

Full name of sole or first inventor Gary F. Gerard	Date
Sole or first inventor's signature 	4/16/04
Residence Frederick, Maryland	
Citizenship US	
Post Office Address 8393 William Drive	
Frederick, Maryland 21704	

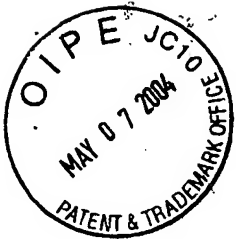
Full name of second inventor, if any Harini Shandilya	Date
Second inventor's signature 	4/16/04
Residence Bethesda, Maryland	
Citizenship US	
Post Office Address 6817 Tammy Court	
Bethesda, Maryland 20817	

Full name of third inventor, if any Peter Qiu	Date
Third inventor's signature 	04/16/04
Residence Gaithersburg, Maryland	
Citizenship US	
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Gaithersburg, Maryland 20878	

Full name of fourth inventor, if any James M. D'Alessio	Date
Fourth inventor's signature 	04/16/04
Residence Middletown, Maryland	
Citizenship US	
Post Office Address 2 Eastern Circle	
Middletown, Maryland 21769	

Full name of fifth inventor, if any	Date
Fifth inventor's signature	
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	Date
Sixth inventor's signature	
Residence	
Citizenship	
Post Office Address	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: TI-0028
Inventors: Gerard et al.
Serial No.: 10/688,665
Filing Date: October 17, 2003
Examiner: Not Yet Assigned
Group Art Unit: Not Yet Assigned
Title: An Isolated Cel II Endonuclease

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Dear Sir:

ASSOCIATE POWER OF ATTORNEY OR AGENT (37 CFR 1.34)
(For Representation Related To A Patent Application)

Please recognize the following as Associate Attorneys in the matter of the above-entitled application:

Jane Massey Licata, Registration No. 32,257
Kathleen A. Tyrrell, Registration No. 38,350
Bridget C. Sciamanna, Registration No. 47,333 and
Laura Plunkett, Registration No. 45,015

of the firm Licata & Tyrrell P.C., 66 E. Main Street, Marlton,
New Jersey 08055.

Send all future correspondence to:

Keith A. Johnson, Esquire
Transgenomic, Inc.
12325 Emmet Street
Omaha, Nebraska 68164

Address all telephone calls to:

Licata & Tyrrell P.C.

Phone: (856) 810-1515
Fax: (856) 810-1454

Respectfully submitted,

Name:
Title:

K. A. Johnson

KEITH A. JOHNSON
VP GENERAL COUNSEL

Date: 19 FEB, 2004

**LAW DEPARTMENT
TRANSGENOMIC, INC.
12325 Emmet St.
Omaha, NE 68164**

Express Mail Label No.

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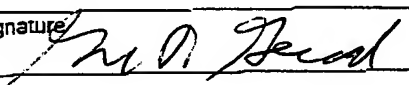
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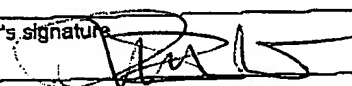
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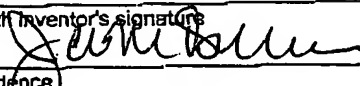
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Jane Massey Licata - (856) 810-1515

Full name of sole or first inventor Gary F. Gerard	Date 4/16/04
Sole or first inventor's signature 	
Residence Frederick, Maryland	
Citizenship US	
Post Office Address 8393 William Drive	
Frederick, Maryland 21704	

Full name of second inventor, if any Harini Shandilya	Date 4/16/04
Second inventor's signature 	
Residence Bethesda, Maryland	
Citizenship US	
Post Office Address 6817 Tammy Court	
Bethesda, Maryland 20817	

Full name of third inventor, if any Peter Qiu	
Third inventor's signature 	Date 04/16/04
Residence Gaithersburg, Maryland	
Citizenship US	
Post Office Address 11407 Royal View Court	
Gaithersburg, Maryland 20878	

Full name of fourth inventor, if any James M. D'Alessio	
Fourth inventor's signature 	Date 04/16/04
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Citizenship US	
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Middletown, Maryland 21769	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: TI-0028
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Respectfully submitted,

Name:
Title:

K. A. Johnson

KEITH A. JOHNSON
VP GENERAL COUNSEL

Date:

19 FEB, 200 4

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12325 Emmet St.
Omaha, NE 68164**